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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON THE DATE INDICATED BELOW.

BY

Martha O. Heller

DATE

August 21, 2000

PATENT
BOX DAC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of : Group Art Unit: 1624
Louis S. Kucera *et al.* :
:
Appln. No.: 09/412,539 : Examiner: Brenda Coleman
:
Filed: **October 4, 1999 (Correct)** :
October 5, 1999 (Incorrect) : Attorney Docket
: No. **0443-17U3**
For: LIPID ANALOGS FOR TREATING : (200443.0064)
VIRAL INFECTIONS : (WFU 9503)

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PETITION FOR CORRECTED FILING DATE

Applicants request that the Filing Date in the above-referenced patent application be corrected to reflect **October 4, 1999** as the Filing Date. Applicants have not yet received a Filing Receipt in the above-referenced application. However, upon receipt of the Office Action dated January 12, 2000 in the above-referenced application, Applicants noted that the cover page of the Office Action indicates an incorrect Filing Date thereon of October 5, 1999.

Therefore, in order to substantiate October 4, 1999 as the correct Filing Date, Applicants include with this Request the following substantiating documentation: 1) copy of Express Mail Mailing Label with October 4, 1999 stamped thereon by the U.S. Postal Office; 2) a copy of the Non-Provisional Utility Patent Application Transmittal Form, showing the date of October 4, 1999, handwritten by Gary D. Colby, the attorney who signed the Transmittal Form; and 3) a Postcard Receipt showing the handwritten date of October 4, 1999 and the Patent Office bar code with the application number and **incorrect** filing date of 10/05/99 indicated thereon.

Applicants have included along with this petition a check in the amount of \$130.00 for the petition fee as required by MPEP § 506.02 and 37 C.F.R. 1.17 (i). Since it appears to Applicants that this petition is required solely because of a Patent and Trademark

Office error, Applicants hereby request a refund of this petition fee pursuant to MPEP § 506.02 upon grant of the petition.

Applicants also note that an error appears on the Transmittal Form with regard to the PCT Application number upon which a claim to priority is based. The correct PCT Application number was indicated on the Preliminary Amendment filed October 4, 1999 and is PCT/US95/10111 (filed August 7, 1995).

Please make these corrections and provide us with a Corrected Filing Receipt and a refund of the petition fee at the earliest possible date.

Respectfully submitted,

LOUIS S. KUCERA *ET AL.*

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August 21, 2000
(Date)

By:

Kathryn Doyle

KATHRYN DOYLE, Ph.D., J.D.

Registration No. 36,317

AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.

One Commerce Square

2005 Market Street - 22nd Floor

Philadelphia, PA 19103-7086

Telephone: (215) 965-1200

Direct Dial: (215) 965-1284

Facsimile: (215) 965-1210

E-Mail: kdoyle@akingump.com

KD/RAA/hg/moh

Enclosures: a check in the amount of \$130.00 for the petition fee
copy of Express Mail Mailing Label with October 4, 1999 stamped thereon by the U.S. Postal Office;
a copy of our initial Request for filing of a non-provisional utility patent application, showing the date of October 4, 1999, handwritten by Gary D. Colby, the attorney who signed the Request form; and
our Postcard Receipt showing the handwritten date of October 4, 1999 and the Patent Office bar code with the application number and **incorrect** filing date of 10/05/99 indicated thereon.



EL329911956US

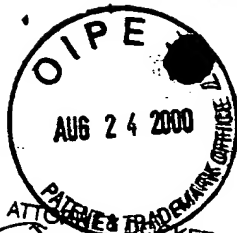


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PAT/TM (S. N.) REG/OPP/CANC./# Not Yet Assigned TODAY'S MAILING DATE October 4, 1999
CERT. of MAIL/CERT. of SERV/EXPRESS MAIL EL329911956US
OF: Louis S Kucera
FOR: Lipid Analogs For Treating Viral Infections
RECEIPT IS ACKNOWLEDGED FOR THE FOLLOWING:
TRADEMARK APPLICATION _____
Specimens _____
RENEWAL/AFF 8/AFF 8 & 15 _____
PAT APP (NEW/DIV/CIP/FWC/RE) _____
1 Dec & Power of Atty (copy) _____
25 Pages Specifications _____
26 Preliminary Amendment _____
Claims (pages) _____
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Fee authorization charge Deposit Acct. # 16-0235
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